

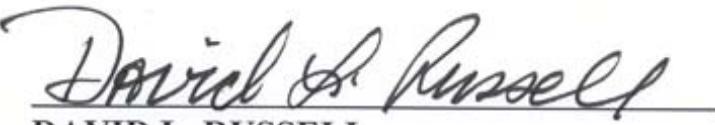
**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

<b>LAURA L. DUNKLE,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. CIV-08-833-R</b>
	)	
<b>MILLICENT NEWTON-EMBRY,</b>	)	
	)	
<b>Respondent.</b>	)	

**O R D E R**

Before the Court are the Report and Recommendation of United States Magistrate Judge Gary M. Purcell entered November 10, 2008 [Doc. No. 12] and Petitioner's Objection to the Report and Recommendation filed December 1, 2008 [Doc. No. 15]. In her Objection, Petitioner only makes arguments and claims never included in her petition for a writ of habeas corpus and never raised before the Magistrate Judge. Issues not raised until objections to a Magistrate Judge's report and recommendation are deemed waived and are not properly considered by the Court. *See, e.g., United States v. Garfinkle*, 261 F.3d 1030, 1031 (10th Cir. 2001); *Traylor v. Jenks*, 223 Fed. Appx. 789, 791 (10th Cir. Mar. 29, 2007)(No. 06-6314). The Court concurs in the findings and conclusions of the Magistrate Judge. Accordingly, the Report and Recommendation of the Magistrate Judge is ADOPTED in its entirety and the petition of Laura L. Dunkle for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is DENIED.

IT IS SO ORDERED this 2nd day of December, 2008.

  
**DAVID L. RUSSELL**  
**UNITED STATES DISTRICT JUDGE**